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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,460	02/13/2007	Antonio Barletta	287951US8X PCT	2315
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
TILLERY, RASHAWN N				
ART UNIT		PAPER NUMBER		
2174				
NOTIFICATION DATE		DELIVERY MODE		
03/03/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/581,460

**Applicant(s)**

BARLETTA ET AL.

**Examiner**

RASHAWN TILLERY

**Art Unit**

2174

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-13 and 15-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-13 and 15-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

1. This communication is responsive to the Amendment filed 12/8/2009.
2. Claims 9-13 and 15-27 are pending in this application. Claims 9, 15 and 23 are independent claims. In the instant Amendment, claims 9, 15 and 20-23 were amended and claims 14 and 28 were canceled. This action is made Final

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-13 and 15-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al ("Ho" US 2003/0210226) in view of Van Den Hoven et al ("Hoven" US 7152210).

Regarding claim 9, Ho discloses a multimedia preview system in a client/server-based network environment for browsing content of requested multimedia data to be previewed, the content to be displayed on a client terminal for accessing a multimedia server configured to hold the requested multimedia data (see paragraphs [0046] and [0102]), the multimedia preview system comprising:

an interface configured to receive commands indicating a speed at which the multimedia preview system is to browse through at least one of text and an image

associated with the requested multimedia data (see paragraphs [0003], [0010] and [0050] where browsing speed of an electronic book is discussed); and

controlling means for adapting a detail level of a presentation of the at least one of the text and the image, depending on at least markup tags associated with the requested multimedia data and a frequency of the commands, such that the detail level of the presentation of at least one of the text and the image is higher when the speed is lower and vice versa, and for changing a layout of the at least one of the text and the image, depending on the speed (see paragraphs [0010], [0050], [0076] and [0079]; Examiner notes that the level of detail shown when user flips one page at a time- i.e., in a lower browsing speed- is greater than the level of detail shown when user flips multiple pages at a time- i.e., in an increased browsing speed).

Ho does not expressly disclose the controlling means includes a touch-sensitive display configured to navigate through the requested multimedia data to be previewed. However, Hoven discloses browsing a collection of images at various speeds. In one embodiment of the invention, user can scroll images on a display screen using a finger (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed). "In a further embodiment the selection of a representation comprises dragging the representation from the browsing area to the display area. Dragging a representation to an area where the corresponding image can be shown is a very intuitive way of manipulating images (see col. 2, lines 42-49)." It would have been obvious to an artisan at the time of the invention to modify Ho's user interface by including Hoven's teachings in an effort to provide user an easy, simple and intuitive way to browse an image collection.

Regarding claim 10, Ho discloses means for displaying the requested multimedia data with different layouts depending on the speed (see paragraph [0079] where it is discussed that the layout of a page is changed based on a user's reading pattern).

Regarding claim 11, Ho discloses means for setting semantic focus, proportional to the speed, of the requested multimedia data (see paragraph [0076] where it is discussed that a higher resolution is provided for pages user spends more time on).

Regarding claim 12, Ho discloses means for introducing the markup tags in the requested multimedia data for changing the layout of the at least one of the text and the image (see paragraph [0050]; Examiner notes that only flipping pages are shown with increased browsing speed).

Regarding claim 13, the modified Ho discloses the multimedia preview system is a video-on-demand system with video browsing means (see Hoven, col. 3, lines 45-64 where Hoven discloses browsing a collection of images at various speeds. In one embodiment of the invention, the collection of images could comprise one or more video streams) for varying the speed and the detail level of the presentation of the at least one of the text and image, depending on at least the frequency of the commands instructing the multimedia preview system to change the speed such that the detail level is higher when the speed is lower and vice versa (see Ho, paragraphs [0010], [0050], [0076] and [0079]; Examiner notes that the level of detail shown when user flips one page at a time- i.e., in a lower browsing speed- is greater than the level of detail shown when user flips multiple pages at a time- i.e., in an increased browsing speed).

Claims 15-18 are similar in scope to claims 9-12, respectively, and are therefore rejected under similar rationale.

Regarding claim 19, Ho discloses associating the markup tags, allowing identification of segmented parts of the multimedia data to be previewed, to the multimedia data; and synchronizing the markup tags with the multimedia data (see paragraph [0050]; Examiner notes that only flipping pages are shown with increased browsing speed).

Regarding claim 20, Hoven discloses a length of a movement path of one of the movements is directly proportional to at least one of the speed of browsing and the detail level of the presentation of the at least one of the text and the image, during the displaying the multimedia data (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed).

Regarding claim 21, Hoven discloses the user commands are based on forces exerted to a surface of the touch-sensitive display, one of the forces being directly proportional to at least one of the speed of browsing and the detail level of the presentation of the at least one of the text and the image, during the displaying the multimedia data (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed).

Regarding claim 22, Hoven discloses the commands are based on a duration of forces exerted to a surface of a touch-sensitive display, the duration being directly proportional to at least one of the speed of browsing and the detail level of the presentation of the at least one of the text and the image, during the displaying the

multimedia data (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed).

Claims 23-27 are similar in scope to claims 9-13, respectively, and are therefore rejected under similar rationale.

### ***Response to Arguments***

5. Applicant's arguments filed 12/8/2009 have been fully considered but they are not persuasive.

Regarding Applicant's arguments concerning Hoven failing to disclose a touch-sensitive display, the Examiner respectfully disagrees.

Hoven discloses the browsing area 103- displaying thumbnail images- and the display area 106 can occupy the same window on a display screen or portions of the same window (see col. 3, line 65 to col. 4 line 8). In one embodiment of the invention, user can scroll thumbnail images on the display screen using a finger before displaying it in the display area (see col. 4, line 60 to col. 5, line 21 where stroking gesture is discussed). "In a further embodiment the selection of a representation comprises dragging the representation from the browsing area to the display area. Dragging a representation to an area where the corresponding image can be shown is a very intuitive way of manipulating images (see col. 2, lines 42-49)."

Thus, the Examiner contends that Hoven's teachings could be interpreted to read on Applicant's claim language.

***Conclusion***

**6. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHAWN TILLERY whose telephone number is 571-272-6480. The examiner can normally be reached on M-F 8:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RASHAWN TILLERY/  
Examiner, Art Unit 2174

/DENNIS-DOON CHOW/  
Supervisory Patent Examiner, Art Unit 2174